

or carriage "travelling or passing on such railroad ... in this State" is deleted as surplusage.

Also in subsection (b) of this section, the former reference to breaking or damaging "in any manner" a railroad is deleted as surplusage.

The Public Utility Companies Article Review Committee notes, for the consideration of the General Assembly, that this section appears to be obsolete, and completely included within the prohibition against malicious destruction of property under § 111 of this article.

#### 455. UNAUTHORIZED ACCESS TO RAILROAD VEHICLE.

A PERSON WHO IS IN OR ON A RAILROAD VEHICLE ON A RAILROAD TRACK IN THE STATE WITHOUT COMPLYING WITH THE LAW OR WITH THE RULES AND REGULATIONS OF THE RAILROAD COMPANY IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$25 OR IMPRISONMENT NOT EXCEEDING 1 MONTH OR BOTH.

REVISOR'S NOTE: Chapter 8, Acts of 1998, which enacted the Public Utility Companies Article, also added this section, which is derived without substantive change from the first clause of the first sentence of former Art. 27, § 455.

The reference to imprisonment "not exceeding" 1 month or both is added for clarity.

The former reference to "cling, climb, jump, step or in any other way get upon" a railroad vehicle is deleted as included in the reference to a person who is "in or on a railroad vehicle".

Also in this section, the former reference to a railroad vehicle "whether the same be freight, passenger, coal or otherwise" is deleted as surplusage.

The former reference to a person "who shall be on any part of" any locomotive, engine, or car is deleted as included in the reference to a person who is in or on a railroad vehicle.

The former reference to "permission under" the rules and regulations of the railroad is deleted as surplusage. In addition, the former references to "any court of competent jurisdiction" and imprisonment "in jail or in the house of correction" are deleted as surplusage as is the former reference to allowing a person to be subject to either a fine or imprisonment or both "in the discretion of the court before which the case may be tried".

The Public Utility Companies Article Review Committee notes that the second clause and third clause of the first sentence and the second sentence of former Art. 27, § 455 are deleted as surplusage or obsolete. The second clause of the first sentence required that a railroad company provide free transportation to prison for a person who is convicted of unlawfully getting on a train as well as for an officer in charge of the person. The third clause allows the court to commit a minor convicted of